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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/777,833	02/12/2004	Gregory Paul Andrews	ROC920030246US1	5895

7590 10/17/2007
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EXAMINER

PILLAI, NAMITHA

ART UNIT	PAPER NUMBER
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2173

MAIL DATE	DELIVERY MODE
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10/17/2007

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/777,833

Applicant(s)

ANDREWS, GREGORY PAUL

Examiner

Namitha Pillai

Art Unit

2173

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 01 August 2007.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1,3-16 and 19-24 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1,3-16 and 19-24 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 01 August 2007 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____.

DETAILED ACTION

Response to Amendment

1. The Examiner acknowledges Applicant's submission on 8/1/07 including amendments to claims 1, 3, 5, 7, 11, 12, 19, 21, the cancellation of claims 2, 17 and 18, and the addition of new claims 22-25. All pending claims have been rejected as being obvious over the prior arts disclosed.

Drawings

2. The drawings are objected to because the components of Figure 1A have not been properly labeled. Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as "amended." If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

Claim Rejections - 35 USC § 112

The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

3. Claims 7 and 11 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention. In particular, the specification fails to provide support for "***replacing the copied list of elements in the temporary structure with the summary information***". The replacing feature as disclosed in the specification does not make clear the elements used in the replacing step. Based on the current disclosure, the Examiner has interpreted that the replacing involves replacing the elements within the clipboard, where the copied list of elements are replaced on the clipboard with the summary data. The disclosure has not clearly defined that the copied list of elements in the temporary structure are replaced, where the replacement feature has not been clearly defined.

4. Claims 1, 11, 12 and 21 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention. The specification disclosure has not

clearly disclosed, **"in response to the selection event, *automatically* converting the list of elements to a required type for the desired summary function"**.

Since claims 3-10, 13-16, 19, 20, 22-24 depend on claims 1, 11, 12 and 21 and include all of the limitations of these claims, claims 3-10, 13-16, 19, 20, 22-24 are rejected under 35 U.S.C. 112, first paragraph.

5. Claim 24 is rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention. The disclosure has not clearly described that the separators are removed from the list of elements.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claims 1, 3-10, 12-16 and 19-21 are rejected under 35 U.S.C. 103(a) as being unpatentable over U. S. Patent Publication No. 2004/0049729 A1 (Penfield) and U. S. Publication No. 2002/0124016 A1 (Rank et al.), herein referred to as Rank.

Referring to claim 1, Penfield discloses a method of displaying summary information about a list of elements and receiving a selection of at least one desired summary function (page 1, paragraph 9, lines 6-8). Penfield discloses receiving

notification of a selection event, the selection event comprising a user identifying a list of elements in an application program executing on the computing system (page 1, paragraph 11, lines 1-6), where the user identification of a portion of the data includes the list of numbers or elements which are selected from the spreadsheet form. Penfield discloses in response to the user's selection event, the list of selected elements are automatically converted to format data represented in another way (page 1, paragraph 11, lines 1-6), where in response to user selection, the numbers are converted to other formats based on calculations carried out. This newly formatted data is then further assessed to generate summary information associated with this new data (page 1, paragraph 11, lines 1-6), where the interpretation results of the newly formatted data represents summary information. Penfield discloses displaying the summary information in a results window (page 1, paragraph 10, lines 7-9). Penfield does not disclose a configuration file. Rank discloses generating a configuration file containing spreadsheet information including summary functions (page 1, paragraph 2, lines 2-3). Rank also discloses parsing the configuration file to extract the desired information including function data (page 5, paragraph 47). It would have been obvious to one skilled in the art at the time of the invention to learn from Rank to include configuration file, which stores the desired information. Rank discloses the need for such a configuration file and manipulation within this file to extract desired data in use with PDAs where memory storage is an issue (page 3, paragraph 25). Penfield has disclosed that the system of Penfield can be incorporated into any computer system including a PDA (page 5, paragraph 58). The need for a configuration file and

manipulation within this configuration file would have been an obvious teaching in view of the motivation where such a configuration file is efficient when working with spreadsheet applications in PDA systems. Therefore, one skilled in the art would have been motivated to learn from Rank to include configuration file which stores the desired information including the copied list of data values and other data related to the spreadsheet including summary functions.

Referring to claim 3, Penfield and Rank disclose that the configuration file comprises at least one field chosen from the group consisting of a library name, a function name field, and a display name field (Rank, page 2, paragraph 23, lines 15-25 and page 5, paragraph 47, lines 9-11).

Referring to claim 4, Penfield discloses receiving a selection of display method selection (page 1, paragraph 10, lines 9-12).

Referring to claim 5, Penfield discloses registering a window procedure with an operating system (page 2, paragraph 22, lines 7-11).

Referring to claim 6, Penfield does not disclose copying the list of elements into a temporary memory structure. Rank discloses copying spreadsheet data including the list of data values or numbers into a memory address (page 4, paragraphs 42 and 43). It would have been obvious to one skilled in the art at the time of the invention to learn from Rank to copy list of data values and other data related to the spreadsheet including summary functions into a memory structure. Rank discloses the need for such a configuration file and manipulation within this file to extract desired data in use with PDAs where memory storage is an issue (page 3, paragraph 25). Penfield has

disclosed that the system of Penfield can be incorporated into any computer system including a PDA (page 5, paragraph 58). The data is stored in a memory structure temporary to extract the necessary data. The need for a configuration file and manipulation within this configuration file would have been an obvious teaching in view of the motivation where such a configuration file is efficient when working with spreadsheet applications in PDA systems. Therefore, one skilled in the art would have been motivated to learn from Rank to copy list of data values and other data related to the spreadsheet including summary functions into a memory structure.

Referring to claim 7, Penfield does not disclose replacing the copied list of numbers in the temporary structure with the summary information. Although Penfield discloses displaying the summary information to the user interface, Penfield does not disclose replacing the summary information in the temporary structure. It is notoriously well known, in the art, at the time of the invention, to replace the selected list of numbers in the clipboard with the summary information, where the clipboard represents the temporary structure used in copying and pasting data. Examiner takes Official Notice of this teaching. It would have been obvious for one skilled in the art, at the time of the invention to replace the selected list of numbers with the summary information. It is well known in the art that clipboard data is replaced with one set of copied data with another set of copied data in this case being the list of elements replaced with the summary information. In view of this well known teaching, it would have been obvious to one skilled in the art at the time of the invention to replace the selected list of numbers with the summary information.

Referring to claim 8, Penfield discloses that the results window comprises a pop-up window (reference number 210, Figure 2).

Referring to claim 9, Penfield discloses that the results window comprises a hover help window (page 4, paragraph 35, lines 1-5).

Referring to claim 10, Penfield discloses that the results window comprises a clipboard (reference number 210, Figure 2).

Referring to claim 12, Penfield discloses a computer program product, which includes a program configured to carry out the functionality claimed (page 5, paragraph 59). Penfield discloses receiving notification of a selection event, the selection event comprising a user identifying a list of elements in an application program executing on the computing system (page 1, paragraph 11, lines 1-6), where the user identification of a portion of the data includes the list of numbers or elements which are selected from the spreadsheet form. Penfield discloses in response to the user's selection event, the list of selected elements are automatically converted to format data represented in another way (page 1, paragraph 11, lines 1-6), where in response to user selection, the numbers are converted to other formats based on calculations carried out. This newly formatted data is then further assessed to generate summary information associated with this new data (page 1, paragraph 11, lines 1-6), where the interpretation results of the newly formatted data represents summary information. Penfield discloses displaying the summary information in a results window (page 1, paragraph 10, lines 7-9). Penfield discloses a computer readable storage media bearing the program (page 5, paragraph 58, lines 5-8). Penfield does not disclose a configuration file. Rank

discloses generating a configuration file containing spreadsheet information including summary functions (page 1, paragraph 2, lines 2-3). Rank also discloses parsing the configuration file to extract the desired information including function data (page 5, paragraph 47). It would have been obvious to one skilled in the art at the time of the invention to learn from Rank to include configuration file, which stores the desired information. Rank discloses the need for such a configuration file and manipulation within this file to extract desired data in use with PDAs where memory storage is an issue (page 3, paragraph 25). Penfield has disclosed that the system of Penfield can be incorporated into any computer system including a PDA (page 5, paragraph 58). The need for a configuration file and manipulation within this configuration file would have been an obvious teaching in view of the motivation where such a configuration file is efficient when working with spreadsheet applications in PDA systems. Therefore, one skilled in the art would have been motivated to learn from Rank to include configuration file which stores the desired information including the copied list of data values and other data related to the spreadsheet including summary functions.

Referring to claim 13, Penfield discloses that the program product comprises an operating system (page 5, paragraph 59, lines 1-4), where the computer system includes an operating system where the program product is stored.

Referring to claim 14, Penfield discloses that the program comprises a word processing program (page 5, paragraph 57, lines 4-7), where word processing capabilities are implemented within the program.

Referring to claim 15, Penfield discloses that the program comprises a web

browser (page 5, paragraph 58, lines 1-6).

Referring to claim 16, Penfield discloses that the program comprises a plug-in (page 5, paragraph 58, lines 1-2).

Referring to claim 19, Penfield does not clearly disclose that the computer readable storage media comprises a memory of a pervasive device. Rank discloses using a spreadsheet application in a pervasive device (page 2, paragraph 22). It would have been obvious to one skilled in the art at the time of the invention to learn from Rank to disclose that the signal bearing comprises a memory of a pervasive device. Penfield does disclose that the system of Penfield can be implemented in any kind of computer systems including a pervasive device. Therefore, it would have been obvious to one skilled in the art at the time of the invention to learn from Penfield to disclose that the signal-bearing medium comprises a memory of a pervasive device.

Referring to claim 20, Penfield discloses that the elements are non-contiguous (page 4, paragraph 37).

Referring to claim 21, Penfield discloses receiving a selection of at least one desired output function (page 1, paragraph 9, lines 6-8). Penfield discloses receiving a selection of a list of elements and in response to the selection of the list of elements automatically calculating the at least one desired output function using the list of desired elements to generate output information (page 1, paragraph 10, lines 1-12). Penfield does not disclose transferring data into an application program. Rank discloses transferring information into an application program by copying the list of elements into a first addressable memory structure (page 5, paragraph 46 and page 4,

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paragraphs 42 and 43) and automatically transferring the output information into the application program (page 5, paragraph 47). The information that is represents the spreadsheet data is compressed and transferred to the spreadsheet application program. It would have been obvious to one skilled in the art at the time of the invention to disclose transferring data into an application program. Rank has disclosed transferring of data into an application program, where the data is first compressed and manipulated and transferred into an application, which is run on a PDA system. Penfield has disclosed that the system of Penfield can be incorporated into any computer system including a PDA (page 5, paragraph 58). The need for transferring of data into an application program with copying of spreadsheet data would have been an obvious teaching in view of the motivation where transfer of data is efficient when working with spreadsheet applications in PDA systems. Therefore, one skilled in the art would have been motivated to learn from Rank to disclose transferring data into an application program.

7. Claims 11 and 22-24 are rejected under 35 U.S.C. 103(a) as being unpatentable over Penfield, Rank and U. S. Publication No. 2004/0181748 A1 (Jamshidi et al), herein referred to as Jamshidi.

Referring to claim 11, Penfield discloses a method of displaying customizable summary information about a list of elements and receiving a selection of at least one desired summary function (page 1, paragraph 9, lines 6-8). Penfield discloses receiving notification of a selection event, the selection event comprising a user identifying a list of numbers in an application program executing on the computing system (page 1,

paragraph 11, lines 1-6), where the user identification of a portion of the data includes the list of numbers or elements which are selected from the spreadsheet form. Penfield discloses in response to the user's selection event, the list of selected elements are automatically converted to required format data represented in another way (page 1, paragraph 11, lines 1-6), where in response to user selection, the numbers are converted to other formats based on calculations carried out. This newly formatted data is then further assessed to generate summary information associated with this new data (page 1, paragraph 11, lines 1-6), where the interpretation results of the newly formatted data represents summary information. Penfield discloses displaying the summary information in a pop-up window (reference number 210, Figure 2). Penfield does not disclose replacing the selected list of numbers with the summary information. Although Penfield discloses displaying the summary information to the user interface, Penfield does not disclose replacing the summary information. It is notoriously well known, in the art, at the time of the invention, to replace the selected list of numbers in the clipboard with the summary information. Examiner takes Official Notice of this teaching. It would have been obvious for one skilled in the art, at the time of the invention to replace the selected list of numbers with the summary information. It is well known in the art that clipboard data is replaced with one set of copied data with another set of copied data in this case being the list of elements replaced with the summary information. In view of this well known teaching, it would have been obvious to one skilled in the art at the time of the invention to replace the selected list of numbers with the summary information.

Penfield does not disclose a configuration file and copying the list of numbers. Rank discloses generating a configuration file containing spreadsheet information including summary functions (page 1, paragraph 2, lines 2-3). Rank discloses copying spreadsheet data including the list of data values or numbers into a clipboard or memory address (page 4, paragraphs 42 and 43). Rank also discloses parsing the configuration file to extract the desired information including function data (page 5, paragraph 47). It would have been obvious to one skilled in the art at the time of the invention to learn from Rank to include configuration file which stores the desired information including the copied list of data values and other data related to the spreadsheet including summary functions. Rank discloses the need for such a configuration file and manipulation within this file to extract desired data in use with PDAs where memory storage is an issue (page 3, paragraph 25). Penfield has disclosed that the system of Penfield can be incorporated into any computer system including a PDA (page 5, paragraph 58). The need for a configuration file and manipulation within this configuration file would have been an obvious teaching in view of the motivation where such a configuration file is efficient when working with spreadsheet applications in PDA systems. Therefore, one skilled in the art would have been motivated to learn from Rank to include configuration file which stores the desired information including the copied list of data values and other data related to the spreadsheet including summary functions.

Penfield and Rank do not disclose that the plurality of numbers in the spreadsheet are displayed in a web page. Jamshidi discloses browser specific web

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page that includes the spreadsheet (page 1, paragraph 9). It would have been obvious to one skilled in the art at the time of the invention to learn from Jamshidi that spreadsheet data can be displayed on the Internet and accessible through a web page. Penfield has disclosed that it is difficult for novice users to learn a new application, where one of the objectives of Penfield is to alleviate the users' need to be experienced with a distinct application. A novice user familiar with a known application such as the Internet would have an easier time accessing the number data and summary data through a more familiar and known application such as the Internet and through its web page.

Referring to claim 22, Penfield and Rank do not disclose that the statistical processing system comprises a web browser. Jamshidi discloses browser specific web page that includes the spreadsheet (page 1, paragraph 9). It would have been obvious to one skilled in the art at the time of the invention to learn from Jamshidi that spreadsheet data can be displayed on the Internet and accessible through a web page. Penfield has disclosed that it is difficult for novice users to learn a new application, where one of the objectives of Penfield is to alleviate the users' need to be experienced with a distinct application. A novice user familiar with a known application such as the Internet would have an easier time accessing the number data and summary data through a more familiar and known application such as the Internet and through its web page.

Referring to claim 23, Penfield discloses that identifying the list of elements in an application program comprises highlighting textual material that contains the list of elements and at least one separator (page 4, paragraph 37, lines 11-13).

Referring to claim 24, Penfield discloses converting the list of elements to a required type for the desired summary function (page 1, paragraph 11, lines 1-6). Penfield discloses copying the textual material into an addressable memory structure and parsing the textual material to identify the at least one separator and removing the separator from the list of elements (page 1, paragraphs 11 and 12), where data is copied and stored to a memory structure and violated data is highlighted and separated and removed from the other list of elements.

Response to Arguments

8. Applicant's arguments filed 8/1/07 have been fully considered but they are not persuasive.

Applicant argues that Penfield does not disclose automatically carrying out a function in response to user selection event. Penfield discloses that the user selection event includes user selecting the list of data to which the formatting must apply through highlighting. It is in response to this selection that the formatting is carried out automatically without the user having to make the calculations themselves.

Applicant argues that Penfield does not disclose converting the list of elements to a required type for the desired summary function. Penfield does disclose a conversion process where a set of numbers is converted to be represented through another type or

format. This newly formatted data is then further assessed to generate a summary interpretation data associated with this new information.

Applicant argues that Rank does not disclose parsing a configuration file to extract summary function data. Rank has clearly disclosed extracting specific spreadsheet data with specific data include format types, calculation formulas representing summary functions. Furthermore, the PDA of Rank includes a display device in which the stored spreadsheet data would be displayed for the user to view.

Conclusion

9. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

Responses to this action should be submitted as per the options cited below: The United States Patent and Trademark Office requires most patent related

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correspondence to be: a) faxed to the Central Fax number (571-273-8300) b) hand carried or delivered to the Customer Service Window (located at the Randolph Building, 401 Dulany Street, Alexandria, VA 22314), c) mailed to the mailing address set forth in 37 CFR 1.1 (e.g., P.O. Box 1450, Alexandria, VA 22313-1450), or d) transmitted to the Office using the Office's Electronic Filing System.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Namitha Pillai whose telephone number is (571) 272-4054. The examiner can normally be reached on 8:30 AM - 5:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Cabeca can be reached on (571) 272-4048.

All Internet e-mail communications will be made of record in the application file. PTO employees do not engage in Internet communications where there exists a possibility that sensitive information could be identified or exchanged unless the record includes a properly signed express waiver of the confidentiality requirements of 35 U.S.C. 122. This is more clearly set forth in the Interim Internet Usage Policy published in the Official Gazette of the Patent and Trademark on February 25, 1997 at 1195 OG 89.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (571) 272-2100.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for

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published applications may be obtained from either Private PAIR or Public PAIR.

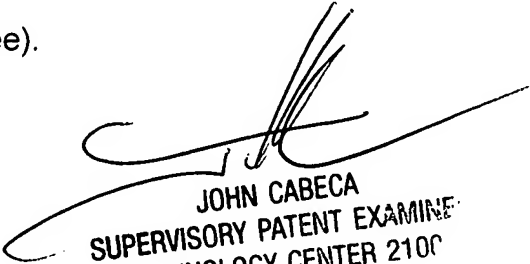
Status information for unpublished applications is available through Private PAIR only.

For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should

you have questions on access to the Private PAIR system, contact the Electronic

Business Center (EBC) at 866-217-9197 (toll-free).

Namitha Pillai
Patent Examiner
Art Unit 2173
October 12, 2007



JOHN CABECA
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100